

**COUNCIL PROCEEDINGS  
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF BLOOMINGTON, ILLINOIS**

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:30 p.m., Monday, October 9, 2006.

The Meeting was opened by Pledging Allegiance to the Flag followed by Silent Prayer.

The Meeting was called to order by the Mayor who directed the City Clerk to call the roll and the following members answered present:

**Aldermen: Joseph “Skip” Crawford, Kevin Huette, Allen Gibson, Michael Matejka, John Hanson, Jim Finnegan, Steven Purcell, Karen Schmidt and Mayor Stephen F. Stockton.**

City Manager Tom Hamilton, Deputy City Clerk Julie Phillips, and Corporate Counsel Todd Greenburg were also present.

**The following was presented:**

Mayor Stockton introduced Bernie Anderson, representative of NICOR. Mr. Anderson addressed the Council regarding the Environmental Clean Up/Community Garden Center Grant. Todd Vincent, a participant in the Leadership McLean County program had accompanied Mr. Anderson to this meeting Mr. Anderson wished to recognize Leadership McLean County and the Bloomington Housing Authority for their work to clean up and enhance West Washington Street and North Gas Avenue area. Needed green space was provided as a result of the clean up. Children had been invited to participate in creating a shade garden, which enabled them to learn about gardening.

Alderman Matejka noted that this project had been ongoing for about ten (10) years. Mr. Anderson agreed and added that as opposed to total removal, the soil had been heated in order to clean it. NICOR Gas was awarding Leadership McLean County with a \$2,900 grant to build a shelter and further enhance this project. Mayor Stockton thanked Mr. Anderson and Mr. Vincent for their attendance at the meeting. He acknowledged the other participants of Leadership McLean County that were in attendance.

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Opening of One Bid for Sewer Ejection at 334 ½ Baker St.

Bids were received by the City Clerk on October 3, 2006 for Sewer Ejection at 334 ½ Baker St. There is \$4,000 budgeted for this item. Only one bid was received by the City Clerk and it is City policy in situations where only one bid is received to have the bid opened and read at the Council Meeting.

Staff requests that the City Council authorize the Director of Planning and Code Enforcement to open the bid at the October 9, 2006 Meeting and present the City Council with a recommendation prior to the end of the Council Meeting concerning award of the bid.

Respectfully,

Tracey Covert  
City Clerk

Tom Hamilton  
City Manager

**Motion by Alderman Matejka, seconded by Alderman Crawford that the bid be opened at the Council meeting, referred to staff for analysis and reported back to Council prior to the end of the meeting.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Opening of One Bid for Stair Replacement/Lake Bloomington Old Process Building

Bids were received by the City Clerk on Tuesday, September 26, 2006 until 1:00 p.m. for Stair Replacement/Lake Bloomington Old Process Building. There was \$175,000 budgeted in FY 2005 - 06 for this item. Only one bid was received by the City Clerk and it is City policy in situations where only one bid is received to have the bid opened and read at the Council Meeting.

Staff requests that the City Council authorize the Water Director to open the bid at the October 9, 2006 Meeting and present the City Council with a recommendation prior to the end of the Council Meeting concerning award of the bid.

Respectfully,

Tracey Covert  
City Clerk

Tom Hamilton  
City Manager

**Motion by Alderman Matejka, seconded by Alderman Crawford that the bid be opened at the Council meeting, referred to staff for analysis and reported back to Council prior to the end of the meeting.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Council Minutes of September 11, 2006 Work Session

The Council Minutes of September 11, 2006 Work Session of have been reviewed and certified as correct and complete by the City Clerk.

Respectfully,

Tracey Covert  
City Clerk

Tom Hamilton  
City Manager

**Motion by Alderman Huette, seconded by Alderman Schmidt that the reading of the minutes of the Council Work Session of September 11, 2006 be dispensed with and the minutes approved as printed.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Bills and Payroll

The following list of bills and payrolls have been furnished to you in advance of this meeting. After examination I find them to be correct and, therefore, recommend their payment.

Respectfully,

Brian J. Barnes  
Director of Finance

Tom Hamilton  
City Manager

(ON FILE IN CLERK'S OFFICE)

**Motion by Alderman Huette, seconded by Alderman Schmidt that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Payments from Various Municipal Departments

1. The second partial payment to Farr Associates in the amount of \$5,174.99 on a contract amount of \$49,000 of which \$16,586.68 will have been paid to date for work certified as 34% complete for the Bloomington Gridley Allen Pricketts Neighborhood Form Based Zoning. Completion date - April 2007.
2. The ninth partial payment to Economic Development Council of Bloomington/Normal in the amount of \$6,666.66 on a contract amount of \$80,000 per year of which \$36,666.66 will have been paid to date for work certified as 75% complete for the McLean County Economic Development. Completion date - December 2008.
3. The fourth partial payment to Illinois House Building, LLC in the amount of \$30,086.36 on a contract amount of \$140,000 of which \$84,818.13 will have been paid to date for work certified as 61% complete for the Illinois House. Completion date - December 2010.
4. The sixth partial payment to Supreme Radio Communications, Inc. in the amount of \$1,075 on a contract amount of \$12,900 of which \$6,450 will have been paid to date for work certified as 50% complete for the Service Maintenance Agreement. Completion date - April 2007.
5. The eighth and final payment to Felmley Dickerson Co. in the amount of \$1,284 on a contract amount of \$169,292 of which \$169,192 will have been paid to date for work certified as 100% complete for the Police and Fire Computer Aided Dispatch System. Completion date - December 2005.
6. The second partial payment to Taylor Studios, Inc. in the amount of \$1,692.93 on a contract amount of \$7,500 of which \$5,400.63 will have been paid to date for work certified as 72% complete for the Katthoefer Animal Building at Miller Park Zoo. Completion date - December 2006.
7. The eighth partial payment to P.J. Hoerr, Inc. in the amount of \$315,226.15 on a contract amount of \$2,262,763.73 of which \$1,421,755.18 will have been paid to date for work certified as 63% complete for the Holiday Pool Renovation. Completion date - July 2006.
8. The fifth partial payment to Testing Services Corporation in the amount of \$2,992.80 on a per ton and hour contract of which \$14,298.85 will have been paid to date for work certified as ongoing for the 2006-2007 Asphalt and Portland Concrete Plant Inspection and Lab Testing. Completion date - July 2007.
9. The sixth partial payment to JG Stewart Contractors in the amount of \$14,670.61 on a contract amount of \$210,000 of which \$105,018.71 will have been paid to date for work certified as 50% complete for the 2006-2007 Sidewalk Replacement and Handicap Ramp Program. Completion date - November 2006.

10. The third partial payment to Illinois Department of Transportation in the amount of \$282,886.45 on a contract amount of \$1,349,664.01 of which \$652,886.55 will have been paid to date for work certified as 48% complete for the Hamilton Road - Greenwood to Timberlake. Completion date - September 2007.
11. The eighth partial payment to Stark Excavating, Inc. in the amount of \$155,048 on a contract amount of \$1,399,893.75 of which \$846,285.92 will have been paid to date for work certified as 60% complete for the Euclid Avenue - Oakland to Washington. Completion date - November 2006.
12. The thirteenth partial payment to Foth & Van Dyke/Daily Division in the amount of \$69,050.42 on a contract amount of \$339,497 of which \$335,245.73 will have been paid to date for work certified as 99% complete for the Mitsubishi Motorway Study - Design and Specifications. Completion date - October 2006.
13. The eleventh partial payment to Lewis, Yockey & Brown in the amount of \$16,080.80 on a contract amount of \$113,000 of which \$110,839.50 will have been paid to date for work certified as 98% complete for the US Cellular Coliseum Water Main and Pavement Changes. Completion date - August 2006.
14. The fifty-seventh partial payment to Farnsworth Group in the amount of \$770.48 on a contract amount of \$1,077,688.73 of which \$869,066.01 will have been paid to date for work certified as 81% complete for the Design Transmission Water Main to Lake Bloomington. Completion date - November 2006.
15. The fifth partial payment to Stark Excavating, Inc. in the amount of \$157,000 on a contract amount of \$838,844.50 of which \$776,880 will have been paid to date for work certified as 93% complete for the Lafayette-Maple Sanitary Sewer. Completion date - October 2006.
16. The first partial payment to Farnsworth Group in the amount of \$11,647.70 on a contract amount of \$47,500 of which \$11,647.70 will have been paid to date for work certified as 25% complete for the Division St. CSO Elimination - Phase II. Completion date - March 2007.

All of the above described payments are for planned and budgeted items previously approved by the City Council. I recommend that the payments be approved.

Respectfully,

Tom Hamilton  
City Manager

**Alderman Gibson questioned the completion date for payment #7. The date listed was July 2006. Tom Hamilton, City Manager, responded that the date should read July**

**2007. The pool will be open by the 2007 swimming season. He noted that mud and the lack of landscaping made the improvement look poor. However, the project is fine. He believed it would be a very nice addition to the park. Alderman Crawford stated that he had received a number of phone calls regarding the appearance of the project. He was anxious to see the project completed.**

**Motion by Alderman Huette, seconded by Alderman Schmidt that the payments be approved.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Authorize the Purchase of Holiday Gifts

Staff respectfully requests that Council waive the formal bidding process and authorize the purchase of the 2006 employee holiday gift. Staff anticipates purchasing six hundred (600) items at a total cost not to exceed \$8,032.50 not including shipping. Quotes from the following three companies have been received and are as follows:

Pyramid Printing, Inc.	\$11.90 per item	x 675 = \$8,032.50
Big Frey	\$12.15 per item	x 675 = \$8,201.25
Creative Visions Ltd.	\$12.25 per item	x 675 = \$8,268.75

Funds are budgeted in the Employee Relations line item, 11410-79120 for this purchase. The gifts purchased will include a surplus amount to be sold to either employees or the public, with funds being placed in revenue line item #11410-57990.

Staff respectfully requests that the formal bidding process be waived, the holiday gifts be purchased from Pyramid Printing, Inc., in an amount not to exceed \$8,032.50, the Purchasing Agent authorized to issue a Purchase Order for same, and the Resolution be adopted.

Respectfully,

Emily Bell  
Director of Human Resources

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 136**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF THE 2006 EMPLOYEE HOLIDAY GIFT FROM  
PYRAMID PRINTING AT A PURCHASE PRICE NOT TO EXCEED \$8,032.50**

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and the Purchasing Agent be authorized to Purchase the 2006 employee holiday gift from Pyramid Printing at a Purchase Price not to exceed \$8,032.50.

ADOPTED this 9th day of October, 2006.

APPROVED this 10th day of October, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk  
By: Julie Phillips, Deputy City Clerk

**Motion by Alderman Huette, seconded by Alderman Schmidt that the formal bidding process be waived, the 2006 employee holiday gifts be purchased from Pyramid Printing in an amount not to exceed \$8,032.50, the Purchasing Agent authorized to issue a Purchase Order for same and the Resolution adopted.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**



**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Waive the Formal Bidding Process and Upgrade of the Direct Link Crisis Communications System

The model 800-5 Direct Link Crisis Communications System, the existing hostage negotiations phone and equipment used by the Police Department is now five (5) years old. The technology used by this type of equipment has now surpassed the capabilities of the current model now used by staff. Additionally, the current equipment has began experiencing technical problems.

Staff respectfully requests that Council waive the formal bidding process and approve the upgrade of this equipment to the more technologically current model DL-800-07 Direct Link Crisis Communications System, the Tactical Command Box and necessary software upgrades for use with land line phones and cellular phones. The purchase price for the new system is \$23,500, with an allowance for the used system of \$5,000, for a total price of \$18,500. Funds are available in account #F15110- 72140 for this equipment.

Respectfully,

Roger J. Aikin  
Chief of Police

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 137**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF THE DL-800-07 DIRECT LINK CRISIS  
COMMUNICATIONS SYSTEM, THE TACTICAL COMMAND BOX AND  
NECESSARY SOFTWARE UPGRADES FOR USE WITH LAND LINE PHONES AND  
CELLULAR PHONES FOR THE POLICE DEPARTMENT FROM ENFORCEMENT  
TECHNOLOGY GROUP AT A PURCHASE PRICE OF \$18,500**

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and the Purchasing Agent be authorized to Purchase DL-800-07 Direct Link Crisis Communications System, the Tactical Command Box and necessary software upgrades for use with land line phones and cellular phones from Enforcement Technology Group for the Police Department at a Purchase Price of \$18,500.

ADOPTED this 9th day of October, 2006.

APPROVED this 10th day of October, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk  
By: Julie Phillips, Deputy City Clerk

**Motion by Alderman Huette, seconded by Alderman Schmidt that the formal bidding process be waived, the Direct Link Crisis Communications System upgrade be purchased from Enforcement Technology Group in the amount of \$18,500, the Purchasing Agent authorized to issue a Purchase Order for same, and the Resolution adopted.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Replace Two (2) Vehicles for the Water Department Using the State of Illinois Joint Purchasing Contract

The Water Department has two (2) vehicles in need of replacement, a 1995 Ford Crown Victoria which is used by the Superintendent of Purification at Lake Bloomington, and a 1992 Ford Escort used by the water meter reading crews at the Division Street facility. The replacement vehicles are available on the State of Illinois Joint Purchasing Contract with Bob Riding of Taylorville, IL.

The Ford Crown Victoria will be replaced with a 2007 Dodge Grand Caravan at a cost of \$19,358. Bob Riding will allow the City a \$500 trade-in for the Crown Victoria for net purchase

price of \$18,858. The 1992 Ford Escort will be replaced with a 2007 Dodge Dakota at a cost of \$16,499.

The dealer will allow the City a \$200 trade-in on the Escort for net purchase price of \$16,299. Funds are available in the Equipment Replacement Fund, F50130-72130 for this purchase.

Staff respectfully recommends that the formal bidding process be waived, the purchase of one (1) Dodge Dakota and one (1) Dodge Grand Caravan from Bob Riding of Taylorville, in the amount of \$35,157 be approved, using the State of Illinois Joint Purchasing, the Purchasing Agent be authorized to issue a Purchase Order, and the Resolution adopted.

Respectfully,

Daniel Augstin  
Director Fleet Management

Kim Nicholson  
Purchasing Agent

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 138**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF TWO (2) REPLACEMENT VEHICLES FOR  
THE WATER DEPARTMENT FROM BOB RIDING AT A PURCHASE PRICE OF  
\$35,157**

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and the Purchasing Agent be authorized to Purchase Two (2) Replacement Vehicles, (One Dodge Grand Caravan and One Dodge Dakota), for the Water Department from Bob Riding at a Purchase Price of \$35,157.

ADOPTED this 9th day of October, 2006.

APPROVED this 10th day of October, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk  
By: Julie Phillips, Deputy City Clerk

**Alderman Gibson questioned purchasing from an out of town dealership. Tom Hamilton, City Manager responded that the State awarded their purchasing contracts to the lowest bidders. Bob Riding of Taylorville was the lowest bidder for these vehicles.**

**Alderman Schmidt questioned when the City would consider making a purchase from the local Mitsubishi dealership. Mr. Hamilton responded when that dealership had the type of vehicle that was comparable to the type that needed to be replaced.**

**Motion by Alderman Huette, seconded by Alderman Schmidt that the formal bidding process be waived, the purchase of one (1) Dodge Dakota and one (1) Dodge Grand Caravan from Bob Riding of Taylorville, in the amount of \$35,157 be approved, using the State of Illinois Joint Purchasing Contract, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Request for Proposal to Purchase Truck Chassis and Van Body

Request for Proposal (RFP) for a 14,500 GVW (Gross Vehicle Weight) Truck with Van Body and Generator were received until Tuesday, September 26, 2006 at 12:00 noon, in the Office of the City Clerk. One (1) RFP was received from Barker Motors Co.

The City staff and RIMCO have jointly agreed to purchase a driving simulator to enhance our driver training and a vehicle to transport the simulator. The driving simulator will be used as an additional training aid for the drivers of our vehicles. This simulator is capable of being programmed to train refuse/dump/snowplow truck drivers, fire equipment drivers, and police officers. There has been discussion of loaning the simulator to area schools for driving demonstrations. It might also be loaned to other communities for their driver training with the possibility of charging a fee. This piece of equipment would then have the ability to generate revenue.

RIMCO's responsibility as part of this agreement was to purchase the driving simulator. This has been done. The City's responsibility is to purchase the vehicle to transport the unit. After

discussion between City staff and RIMCO's representatives, it was agreed to purchase a cab over truck with a twenty foot (20') van body and a ten (10) kilowatt generator which results in a mobile classroom.

City staff has reviewed the RFP and determined that it met all the requirements. The lone RFP submitted by Barker Motors Co. was in the amount of \$63,853. This purchase will be paid for from the Equipment Replacement Fund, F16150-72130.

Staff respectfully recommends accepting the proposal of Barker Motors Co. in the amount of \$63,853. to purchase a 14,500 GVW Truck with Van Body and Generator to be used as a driving simulator.

Respectfully,

Daniel Augstin  
Director Fleet Management

Kim Nicholson  
Purchasing Agent

Tom Hamilton  
City Manager

**Alderman Matejka commended staff for working together with other departments and/or agencies to share equipment and reduce expenses. Mr. Hamilton stated that the City would be flexible with this equipment and hoped to have it available for use by other governmental agencies and schools as an educational tool.**

**Motion by Alderman Huette, seconded by Alderman Schmidt that the Request for Proposal for a 14,500 GVW Truck with Van Body and Generator be awarded to Barker Motors Co. in the amount of \$63,853 and the Purchasing Agent be authorized to issue a Purchase Order.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Proposals for Medical Supplies for the Fire Department

Request for Proposals (RFP) for Medical Supplies and Equipment were received until Wednesday, September 20, 2006 at 2:00 p.m., in the Office of the City Clerk. Six (6) proposals were received. These items will be used to stock and equip the department's ambulances.

The goal was to obtain the lowest possible costs from a single source vendor, i.e. one who could supply all or most of the ninety-three (93) items required. Vendors were not required to submit proposals on all the items. The table below summarizes the responses received.

Vendor	# of Items Not Bid	Total Cost
Alliance Medical Russellville, MO	7	Did not properly complete response form
Bound Tree Medical LLC Dublin, OH	2	\$21,282.64
Cardinal Health Waukegan, IL	4	\$14,818.41
Tri Anim Health Services Sylmar, CA	6	\$6,416.92
Matrix Ballentine, SC	14	\$5,997.35
Moore Medical LLC New Britain, CT	25	\$4,847.09

As a result of the number of items not included in the proposals by Matrix and Moore Medical LLC, staff respectfully requests Council accept the proposal submitted by Tri Anim Health Services. This proposal offers the lowest total cost to the City. Payment to be made from account # G15210-71120.

Respectfully,

Keith Ranney  
Fire Chief

Tom Hamilton  
City Manager

**Motion by Alderman Huette, seconded by Alderman Schmidt that the Request for Proposal for Medical Supplies and Equipment be awarded to Tri Anim Health Services in the amount of \$6,416.92, and the Purchasing Agent be authorized to issue a Purchase Order.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Funding Request From the Midwest Food Bank

Attached is a letter from David Kieser, President of Midwest Food Bank, (MFB), requesting that the City contribute \$100,000 to the food bank to reduce future operational expenses. Specifically, these funds will be used to write down the MFB mortgage on their Veterans Parkway site, thereby reducing expenses. The attached letter clearly presents the level of service that the food bank provides to the community as well as people in need beyond our community. I do not think there is any question that the MFB meets a growing need within McLean County and beyond.

The Town of Normal has all ready provided a like amount to support the food bank. Members of the Bloomington City Council have also expressed a desire to support the food bank at the level requested.

Staff recommends that the Council pass a motion approving a one (1) time donation to the Midwest Food Bank in the amount of \$100,000. These funds will be provided from the City's General Fund reserve balance.

Respectfully submitted,

Tom Hamilton  
City Manager

**Motion by Alderman Huette, seconded by Alderman Schmidt that the one (1) time donation to the Midwest Food Bank in the amount of \$100,000 be approved.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Donation of Vacant lot at 503 West MacArthur for Great Plains Life Foundation - New Housing Construction Project

The City's Code Enforcement Division and the Great Plains Life Foundation are proposing to create a partnership to construct a single family dwelling located at 503 W. MacArthur. Previously, the site contained a single family dwelling which was condemned and subsequently demolished by the City. The new house will be constructed by area trade apprentices. Upon completion it will be sold to a household who meets HUD's low and moderate income requirements.

The Code Enforcement Division will provide a maximum of \$10,000 in Community Development Block Grant (CDBG) funds to pay costs for the installation of water and sewer from the street to the house. The balance of the construction costs will be covered by the Great Plains Life Foundation and/or in kind donations from area businesses. Any revenue received due to the sale of the dwelling will be returned to Great Plains Life Foundation.

Therefore, staff respectfully recommends that the Council approve the following:

1. The donation of 503 West MacArthur, a vacant lot, for the construction of a single-family dwelling to Great Plains Life Foundation.
2. The provision of a maximum of \$10,000 in CDBG funds to pay for the installation of sewer and water from the street to the house.
3. Upon completion, the house will be sold to an income eligible household according to HUD's low/moderate income guidelines. All profit, if any, upon the sale of the dwelling will be retained by Great Plains Life Foundation.

Respectfully,

Mark Huber  
Director PACE

Tom Hamilton  
City Manager

**Alderman Gibson questioned any profit realized by the City. Mr. Hamilton responded that the City would receive grants, which would provide funds for water and sewer improvements.**

**Alderman Hanson commended staff and Great Plains Life Foundation for their joint cooperation on this project.**



**Motion by Alderman Huette, seconded by Alderman Schmidt that the donation of 503 West MacArthur, a vacant lot, for the construction of a single-family dwelling to Great Plains Life Foundation be approved with the following stipulations: 1.) the provision of a maximum of \$10,000 in CDBG funds to pay for the installation of sewer and water from the street to the house; 2.) upon completion, the house will be sold to an income eligible household according to HUD's low/moderate income guidelines, and 3.) All profit, if any, upon the sale of the dwelling will be retained by Great Plains Life Foundation.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Approval of Intergovernmental Agreement - Law and Justice Commission, MTU #8

For a number of years the City has been part of a consortium of governmental entities which provides in-service training programs for law enforcement officers and employees. The consortium, known as Law and Justice Commission, MTU #8, pools the resources of its members to help supply training at more reasonable costs. The staff of MTU #8 implements the duties set forth in the Intergovernmental Law Enforcement Officers In-Service Training Act (50 ILCS 720/1), the statute which authorizes these mobile training units. The staff of MTU #8 consists of a full-time director and support staff as necessary.

The annual fee currently established by MTU #8 is ten dollars (\$10) per sworn employee and telecommunicator. At current staffing levels, the cost to the City would be \$10,875.

The proposed intergovernmental agreement is a renewal of past agreements, with no substantial changes. Staff recommends that the Intergovernmental Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary document.

Respectfully,

J. Todd Greenburg  
Corporation Counsel

Roger Aikin  
Chief of Police

Keith Ranney  
Fire Chief

Tom Hamilton  
City Manager

## **Intergovernmental Contract Law and Justice Commission, MTU #8**

The undersigned units of local government, charged with the duty of enforcing by law and with providing training for the law enforcement officers employed by each of them, recognize that none of them individually has the resources nor the volume of trainees to support an in-service training program of the quality that could be provided by a joint effort with the assistance available through the Intergovernmental Law Enforcement Officers In-Service Training Act.

For and in consideration of the payments and contributions herein set forth, and a mutual covenant and obligation of the parties hereto, it is agreed by and among the undersigned parties as follows:

I. **AUTHORITY.** The parties hereto enter into this contract pursuant to the authority vested in them by Article VII, Section 10, of the Constitution of the State of Illinois, and the Intergovernmental Cooperation Act (IL. Rev. Stats. 1980, Ch. 127, Sec. 40 et seq.) for the joint exercise of this power to employ peace officers and to train them, and in accordance with the Intergovernmental Law Enforcement Officers Training Act (III. Rev. Stats., 1981, Ch. 85, Sec. 561 et seq.) as any of them may now or hereafter be amended.

II. **PURPOSE.** The purpose of this contract is to participate in the multi-jurisdictional to known as the Law and Justice Commission, MTU 8, (hereinafter called Region) which shall analyze and determine the law enforcement training needs of its members' law enforcement personnel and to law enforcement personnel employed by the state, by units of local government or by the federal government, or government, or their agencies and departments in the administration of justice. The Region will cooperate and coordinate its efforts with the Illinois Local Governmental Law Enforcement Officers Training Board (hereinafter called the Police Training Board).

III. **DEFINITIONS.** "Member" means any unit of local government which by official action of its governing body agrees to participate in the Region as provided herein. "Units of local government" means counties, municipalities, townships, special districts, and units designated as units of local government by law, which exercise limited governmental powers or powers in respect to limited governmental subjects, but does not include school districts.

IV. **MEMBERS.** Units of local government may be added as MEMBERS of the Region upon a majority vote of the representatives on the Board present at a regular meeting, provided that written notice that such question will be voted on has been mailed to each representative on the Board not less than ten days prior to said meeting.

V. **DUTIES.** The Region shall have as its duties and responsibilities those which are prescribed in the Intergovernmental Law Enforcement Officers In-Service Training Act and those which are set forth in this contract. The Region shall make rules pursuant to the Act and this contract. The Region shall limit its operations to in-service training of law enforcement personnel employed by the state, by units of local government, or by the federal government, or their agencies and departments in the administration of justice.

VI. STAFF. The staff of the Region shall consist of a full-time director appointed by the Board who shall be the chief executive officer of the Region and such clerical employees and other personnel as shall be authorized by the Board to be necessary for the operation of the Region.

- A. managing and coordinating the on-going operation of the Region
- B. employing, terminating and supervising authorized or part-time staff
- C. arranging for qualified instructors from among the employees of the state, local or federal departments or agencies wherever practical, and obtaining other instructional services as required
- D. preparing and presenting to the Board, not less than sixty days prior to each fiscal year, a detailed proposed operating budget and a detailed schedule of proposed training for the upcoming year
- E. securing and keeping in force at all times a policy or policies of insurance in amounts to be determined from time to time by the Board to protect against liabilities arising out of the operation of the Region

VII. FUNDING. Participating members shall contribute an annual fee fixed by the Region.

VIII. OPERATION. The fiscal year for the Region shall be July 1 through June 30.

IX. TERMINATION.

- A. Any member may terminate its participation voluntarily only at the end of any fiscal year with sixty days advance written notice to the Board.
- B. In the event a member is terminated for failure to make contribution when due pursuant to Art. VII of this contract, all of that member's rights to the services and privileges of membership in the Region shall immediately cease and abate; and any contributions already made to the Region shall be forfeited to and retained by the Region.
- C. Termination shall occur if all parties agree or if funds are insufficient for operation of the Region.

X. HUMAN RIGHTS. This contract is subject to and governed by the rules and regulation of the Illinois Human Rights Act.

Governmental Authority: Stephen F. Stockton

Date: 10-10-06

Law Enforcement Authority: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: Tracey Covert, City Clerk

By: Julie Phillips, Deputy City Clerk

Date: 10-10-06

**Motion by Alderman Huette, seconded by Alderman Schmidt that the Intergovernmental Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Permission to Extend Granular Activated Carbon Lease Agreement with Calgon, Inc. for the Purification Plant

In order to enhance the quality of the treated water, granular activated carbon (GAC) is used in the filters at the water purification facility. The GAC removes organic compounds, such as pesticides, herbicides, and taste and odor causing compounds, from the water. The GAC was originally installed in 1994, has been extremely effective at removing those compounds at the levels normally observed in the City's source water.

Over time, the carbon loses its capacity to remove compounds from the water and needs to be replaced with fresh material. The spent carbon is removed and fresh carbon installed in seven (7) of the eighteen (18) filters at the plant each year.

The City has leased its carbon from Calgon Carbon Corporation since 1994. Calgon takes the spent material to their facilities for reprocessing after delivering fresh carbon to the plant. Each year, 160,000 pounds of spent carbon is replaced with fresh carbon.

The current lease is due to expire, and requires renewal. The renewal agreement is for a four (4) year term, with annual fee adjustments tied to the Producer's Price Index of Industrial Commodities (PPI). The funds for the carbon lease are budgeted annually as a line item in Water Purification.

Staff respectfully requests that Council approve the extension of this lease with Calgon Carbon Corporation for GAC be approved, and the Mayor and City Clerk authorized to execute the necessary documents. Funds for this service are available in account X5010-50130-70425.

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

9/18/2006

Greg Montague  
CITY OF BLOOMINGTON  
Hudson, IL

Greg,

I received a message that you sent in a request for delivery of 160,000 lbs. under our PWS agreement that expired earlier this year in April 2006. Under the expired contract, you are currently in "extended use" As an effort to renew our contract, here is an option to extend the contract for a one year term.

The current contract allows for extension and Article 8 - Fee Adjustment provides the basis for fee calculation. We utilize the Producer's Price Index of Industrial Commodities to calculate a revised fee structure. When our Agreement was last modified in 2002, the pricing for our services were \$23.98 per cubic foot which included freight to/from your facility. The \$23.98 must now be escalated by the PPI by the following factor: 2005 Year End Index of 160.2 over the 2004 Year End Index of 147.6 or 8.54%. This yields a price structure of \$26.03 per cubic foot for the one year term extension.

We are planning a release of 160,000 pounds of Filtrasorb 300 this fall. Thus commencing in October, 2006, your new monthly service fee will be \$11,965. This fee will apply for a twelve month period.

The following then are the revisions to our original contract dated September 1994 as amended May, 1997:

Article 2 - Responsibilities of Calgon Carbon

2.1 Remains unchanged

2.2 Calgon Carbon will deliver a total of 160,000 pounds of Filtrasorb 300 per contract year by bulk truck for use in Subscriber's filter units as shown on the Schedule in Exhibit D. Calgon Carbon will provide a lot analysis of the activated carbon to certify that the delivered activated carbon meets the specifications of Exhibit A.

2.3 Remains unchanged

2.4 Remains unchanged

2.5 Remains unchanged

## Article 6 - Payment

6.1 Subscriber will pay Calgon Carbon a base fee of \$11,965 per month for 12 consecutive months for each contract year exercised. Activated carbon deliveries will commence in October 2006 and will continue year to year thereafter according to Exhibit D "Carbon Supply Schedule'. The first payment will begin in October, 2006.

6.2 Deleted

6.3 Remains unchanged

6.4 Should Subscriber decide not to extend the agreement beyond the first contract year (October, 2006-September, 2007) or any other subsequent contract year, then Subscriber may continue to utilize the Activated Carbon in the filter units at that time for a fee of \$5,982.72 beginning the first month following the end of the final contract year. Subscriber can continue to utilize the activated carbon delivered pursuant to this agreement until it is no longer effective for taste and odor control. At that time, Calgon Carbon will remove the activated carbon and properly dispose of it through thermal reactivation and the extended use fee will be terminated. The warranty will not apply to the Extended Use Option.

## Article 7 - Duration of Agreement

7.1 This agreement will be in effect for a minimum term of four contract years commencing October, 2006. The agreement may be cancelled by the City of Bloomington at the end of any given contract year by giving written notice to Calgon Carbon at least thirty days prior to the beginning of a new contract year. If cancellation of the agreement is exercised, the ongoing use of the activated carbon in the filter units can be extended pursuant to Article 6.4.

## Article 8 - Fee Adjustments

8.1 At the end of the first contract year and at the end of each subsequent contract year, the monthly fees noted in Article 6.1 may be escalated based on the percentage change occurring in the Producer's Price Index of Industrial Commodities. The monthly fees noted shall be multiplied by a fraction, the numerator of which shall be the annual index for the year just ended and the denominator of which shall be the annual index number for the year immediately prior to the year that just ended. The first such adjustment shall be applicable for the second contract year of the agreement, if exercised.

All other terms and conditions of the original agreement dated September, 1994 as amended in May, 1997 shall remain in full force and effect.

Please indicate your acceptance of this amendment by signing a copy of this letter and returning to my attention via FAX at 412-774-2454.

Michael Pealer  
Technical Sales Representative - Central Region  
PH: 412-973-3786  
FAX: 412-774-2454  
[mpealer@calgoncarbon-us.com](mailto:mpealer@calgoncarbon-us.com)

Agreed To: City of Bloomington, IL  
Name: Stephen F. Stockton  
Title: Mayor  
Date: October 10, 2006

**Exhibit D**

Carbon Supply Schedule October, 2006 to September, 2009

October 2006 160,000 pounds  
October 2007 160,000 pounds  
October 2008 160,000 pounds  
October 2009 160,000 pounds

**Motion by Alderman Huette, seconded by Alderman Schmidt that the lease extension with Calgon Carbon Corporation be approved, and the Mayor and City Clerk authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Resolution for Improvement by Municipality Under the Illinois Highway Code for Professional Engineering Services for the Design of Lafayette Street from Maple to Morrissey Drive, MFT 06-00336-00-PV

In order to expend Motor Fuel Tax (MFT) Funds on a project, the Illinois Department of Transportation (IDOT) requires the Council to adopt a Resolution appropriating the necessary funds. This Resolution will appropriate \$90,000 for the Professional Engineering Services for the design of Lafayette Street from Maple Street to Morrissey Drive, MFT 06-00336-00-PV.

This project is included in the proposed FY 2006-2007 budget for \$60,000 in MFT Funds.

Staff respectfully recommends that the Council adopt a Resolution appropriating \$90,000 in MFT Funds for Improvement by Municipality Under the Illinois Highway Code for Professional

Engineering Services for the design of Lafayette Street from Maple Street to Morrissey Drive, MFT 06-00336-00-PV.

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

(RESOLUTION NO. 2006-139 – A RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF LAFAYETTE STREET FROM MAPLE TO MORRISSEY DRIVE, MFT 06-00336-00-PV - ON FILE IN THE CLERK'S OFFICE)

**Motion by Alderman Huette, seconded by Alderman Schmidt that the Resolution be adopted.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Amendment of Hiring Process for Entry-Level Firefighters (Section 63 of Chapter 2)

The hiring process for entry-level firefighters is regulated by State law, City Ordinance and the rules of the Board of Fire and Police Commissioners. The City has home rule authority to deviate from the process required by State law in order to better serve the citizens of the City.

The Board of Fire and Police Commissioners, (BFPC) is currently reviewing its hiring process for entry-level firefighters. Currently, a candidate for the position of entry-level firefighter may proceed through the entire screening process even though he or she does not currently possess an Emergency Medical Technician/Paramedic certification from the State of Illinois.

The original intent was to permit a candidate to obtain a position on the Register of Eligibles, (which normally is in effect for two years), and obtain the necessary certification in time to be



hired off of the list. However, if the candidate does not have the certification when his/her name is first on the list, that person must be passed over for that particular vacancy.

At this time, and unfortunately, this procedure will not work since the opening of an additional fire station will require the hiring of a large number of candidates to adequately staff it. The hiring process is extremely time consuming for the volunteer members of the BFPC, who must conduct oral interviews, and review the background checks of each candidate, which are in and of themselves extremely time-consuming for staff, prior to placing a candidate on the Register of Eligibles.

The City no longer has the luxury of placing a candidate on the list only to be forced to pass over that candidate when it comes time to hire because that candidate is not a state-certified EMT/Paramedic. To be blunt, it places the BFPC in a position which is logistically impossible.

The proposed Ordinance will remedy that situation by permitting only those candidates who currently have an EMT/Paramedic certification to proceed past the initial stages of the hiring process. It does not disqualify candidates who do not have the required certification from applying for the firefighter position or taking the written examination component of the hiring process, but it does keep those candidates from advancing further in the process until they have obtained the required certification.

Staff believes that the proposed Ordinance is in the best interests of the citizens of the City, and respectfully requests that Council approve the Text Amendment and that the Ordinance be passed.

Respectfully,

J. Todd Greenburg  
Corporation Counsel

Keith Ranney  
Fire Chief

Tom Hamilton  
City Manager

**ORDINANCE NUMBER 2006 - 109**

**AN ORDINANCE AMENDING SECTION 63 OF CHAPTER 2 OF THE CITY CODE,  
AMENDING THE SELECTION PROCEDURE FOR ENTRY-LEVEL FIREFIGHTERS**

**BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF BLOOMINGTON, ILLINOIS:**

Section One: That subsection (d)(1) of Section 63 of Chapter 2 of the Bloomington City Code, 1960, as amended, be further amended as follows (additions are indicated by underlines; deletions are indicated by strikeouts):

(1) Fire Department. The interim Register of Eligibles for the Fire Department will distinguish between the 50 candidates who meet all of the requirements for initial appointment and have obtained the highest combined scores for all tests administered by the Board prior to background investigation and oral interviews, and all other candidates. The Board shall then proceed to conduct background investigations and oral interviews with such 50 candidates and prepare a Register of Eligibles placing such 50 candidates in rank order. ~~After 40 appointments have been made from the Register of Eligibles, the Board shall proceed to conduct background investigations and oral interviews on the next 20 remaining candidates who have obtained the highest combined scores for all tests administered by the Board prior to background investigation and oral interviews and shall prepare a new Register of Eligibles based on such additional testing.~~ Any time after the completion of the initial Register of Eligibles an insufficient number of names remain on the Register to meet the hiring needs of the Fire Department, as indicated to the Board by the Fire Chief, the Board shall conduct background investigations and oral interviews with such additional candidates which meet all of the requirements for initial appointment and shall prepare a new Register of Eligibles based on such additional testing. The rank order of the new Register of Eligibles shall not give priority to those candidates on the first Register unless the total combined scores of such candidates justify such priority. The procedure shall continue to be followed after every 20 appointments until no candidates remain to be hired from a Register of Eligibles or until the expiration of two years from the date the original Register of Eligibles was approved by the Board, whichever occurs first.

Section Two: Except as provided for herein, the Bloomington City Code, 1960, as amended, shall remain in full force and effect.

Section Three: That the City Clerk be, and she is hereby authorized to publish this ordinance in pamphlet form as provided by law.

Section Four: That this ordinance shall be effective immediately upon passage and approval.

Section Five: That this ordinance is adopted pursuant to the home rule authority of the City of Bloomington conferred by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 9th day of October, 2006.

APPROVED this 10th day of October, 2006.

APPROVED:

Stephen F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk,  
By: Julie Phillips, Deputy City Clerk

**Alderman Finnegan questioned the number of qualified candidates if this Ordinance were passed. Keith Ranney, Fire Chief, addressed the Council. He stated that the Essential Job Functions Test had just completed. Sixteen (16) of the possible seventeen (17) candidates already had their paramedic license. Another eight (8) would have their paramedic license in six (6) months time. Alderman Finnegan inquired regarding the number of paramedics needed. Chief Ranney replied eighteen (18) were needed. He believed that the department would be in good shape.**

**Motion by Alderman Huette, seconded by Alderman Schmidt that the Text Amendment be approved and the Ordinance passed.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Proposed Ordinance Amending Chapter 27, Section 30 of the City Code

Staff is in the process of reviewing Chapter 27 of the City Code, Water Department, and is respectfully requesting that the following changes be made. Staff is requesting the changes in Chapter 27, Section 30 based upon the following recommendations/issues:

- In this section, the “water bill” is changed to a “City Services” bill to more accurately reflect that there are other charges on the bill and it is no longer only a water bill.
- The striking of “water” when describing the charges on the bill because again, the bill now contains other charges.
- The addition of payment agreements as an option in restoring/continuing the water service to a premises. The Code currently states that the delinquent bill must be paid in full in order to have service restored. The current Code does not address payment agreements. The City does currently allow for payment agreements to enable customers to continue water service while a payment arrangement is in effect.
- Changing the reconnect fee for accounts that have been terminated to \$30 from the current \$17 fee. This rate has not been changed for many years and the current \$17 fee does not cover the labor and vehicle costs in restoring service that has been terminated. This fee change would move the City in line with the regular service restoration fee charged by the Town of Normal.
- The addition of the words “service restoration” to better define that any requests for reconnection outside the hours specified in the Code (8:00 a.m. - 2:00 p.m.) will possibly be subject to a higher fee if overtime is required for the service restoration.
- When a payment agreement with the City is entered into by a customer, there are specific dates affixed to the payment schedule that is agreed to by the customer and the City. If the payment agreement is broken, this addition to Chapter 27 enables the City to disconnect the water service for not fulfilling that agreement. This is entirely new language because the current Code does not address payment agreements.
- The first new paragraph covers instances whereby final water meter readings are requested and the account is delinquent at the time of the final water meter reading. If the account is delinquent at that time, the service will not be allowed to be established by another person until the delinquency is addressed.
- This second new paragraph addresses the practice that has been encountered by staff on a regular basis whereby a property may have a delinquent account and in order to avoid service termination, a property owner or tenant will the transfer the account into another person’s name. This essentially has had the effect of “resetting” the clock for shutoff and the next person can refuse to pay and the service may remain on for several more months until the shutoff process meets the requirements of notification and time allowance or the owner or tenant switches billing names again. It is essentially a loophole whereby individuals may not pay the City services bill and simply continuously switch names on the account to avoid disconnection.

- The third new paragraph enables the City to transfer the unpaid balance from one City Services account to another, if the properties are either owned by the same individual or the account is established in the same name between the two accounts. This is particularly critical for staff to be able to attempt to collect charges from the individual that incurred the charges, by having those charges follow them to a new account, if established within the City's service area. A typical example would be a tenant leaving one apartment with an unpaid balance and moving to another apartment in Bloomington and establishing a City Services account at the second apartment. Currently, staff has no mechanism for transferring the balance from the first account to the second. This Code change will make that possible.
- The last new paragraph will allow the City to change the billing of an account from a person other than the owner, to the owner, if the account has been disconnected due to nonpayment. The City encounters numerous instances where certain properties have a history of repeated nonpayment and frequent tenant/owner changes. If the City Services account is current, Staff has no problem with City Services accounts being established in the name of persons other than the owner. With the Code change, if a problem account is frequently delinquent, the owner may be made responsible for the account, at the time the service is rendered. Ultimately, the owner, by the way the Code is written, is responsible for any delinquencies at the property. This change simply allows staff to hold the owner responsible for City Services charges at the time they are being incurred on accounts that have met the criterion of having been disconnected due to delinquency.

Staff respectfully requests that Council pass this Ordinance amending Chapter 27 of the Bloomington City Code.

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**ORDINANCE NO. 2006 - 110**

**AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 27**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Bloomington City Code Chapter 27, Section 30, be amended to read as follows (additions are indicated by underlining; deletions are indicated by strikeouts):

SECTION 30. NO OBLIGATION TO FURNISH WHEN DELINQUENT - CUT OFF NOTICE.

The City shall be under no obligation to furnish water to any premises for which a delinquent ~~water~~ City Services bill remains unpaid. If any water charges, ~~or~~ meter repair or any other charges for any building or premises are not paid within thirty (30) days of the due date of the ~~water~~ City Services bill, the water service may be disconnected at once by whatever means necessary. The water service shall not be restored for said premises until all ~~water~~ charges and penalties are paid or a written payment agreement has been entered into for payment of those charges and penalties, and in addition thereto ~~Seventeen Dollars (\$17.00)~~ Thirty Dollars (\$30.00) for restoring said water service if the same is restored during regular service restoration hours which are specified to be 8:00 A.M. to 2:00 P.M., Monday through Friday, excluding holidays. If the service is restored outside of regular service restoration hours, the customer shall pay the City in advance, for the actual cost of the restoration of water service. If a written payment agreement is not fulfilled, the customer shall be disconnected at any time following the failure to fulfill the agreement. Governmental agencies of every kind, including subordinate agencies of the Federal, the State of Illinois, the County of McLean, and municipal corporations shall be exempt from the penalty provisions of this Ordinance. (Ordinance No. 1994-43)

For accounts that are delinquent at the time of a final water meter reading, the water service may be terminated at the time of the final water meter reading and service may not be restored until the account has been made current or a written payment agreement has been entered into for payment of the delinquent charges and penalties.

Requests for a change of billing recipient for accounts that are delinquent at the time of the request may be refused until such time as the account is made current or a written payment agreement has been entered into for payment of the charges and penalties.

The balance of unpaid charges and taxes for a delinquent City Services bill for a given premises or real estate ("first premises") may, at the discretion of the Director of Water or his/her designees, be transferred to the City of Bloomington City Services account of another premises or real estate ("second premises") if the second premises is either owned by the same owner as the first premises at the time of the transfer or the City Services account at the second premises is established in the same name as the first premises .

In the event a City Services account has been established by a person other than the owner of the property and has been disconnected due to delinquency, the Director of Water or his/her designees may require that said account be transferred into the name of the owner of the property as a condition of continued service.

SECTION 2. Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and she is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 9th day of October, 2006.

APPROVED this 10th day of October, 2006.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk  
By: Julie Phillips, Deputy City Clerk

**Motion by Alderman Huette, seconded by Alderman Schmidt that the Text Amendment be approved and the Ordinance passed.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Easement for Septic Field on Lot 9 Block 4 Camp Kickapoo

The lease for Lot 10 Block 4 Camp Kickapoo was recently transferred. The septic system was inspected as required to transfer the lease. The inspection showed that the seepage field for the septic system serving the house on that lot encroaches onto the adjacent Lot 9. The lessees of Lot 10 did not want to go to the expense of removing and relocating the seepage field and asked the City and the lessees of Lot 9 for an easement to allow the seepage field to remain in place. The lessees of Lot 9 had no objection to granting the easement and City staff approved the easement as well.

The attorney for the lessees of Lot 10 prepared an easement and an Addendum to each lease acknowledging the easement. Staff reviewed these documents, found them to be in order and recommends you approve them.

Respectfully,

Hannah R. Eisner  
Deputy Corporation Counsel

Tom Hamilton  
City Manager

### **Easement for Septic Seepage Field**

Lot 10 in Block 4 of Camp Kickapoo shall have the benefit of an easement across Lot 9 in Block 4 of Camp Kickapoo for the purpose of allowing the operation and maintenance of a seepage field and necessary appurtenances thereto serving the septic system on Lot 10 in Block 4 of Camp Kickapoo in the approximate location near the Lot 9 patio. This easement shall be subject to the following conditions:

1. The Lessee of Lot 10 shall have the right to enter upon Lot 9 for the purpose of maintaining, repairing and/or replacing said seepage field and appurtenances on the condition that the Lot 10 Lessee give the City prior notice of any such entry. Except in the case of an emergency, the City shall have the right to specify the time the Lessee of Lot 10 may make such entry.

2. The Lessee of Lot 10 shall not interfere with access to Lot 9 in the exercise of the rights granted under this easement.

3. The Lessee of Lot 10 shall keep said seepage field and appurtenances thereto in good repair and shall repair said seepage field and appurtenances as soon as practicable upon receipt of notice from the City that it is in need of repair.



4. The City shall not have any responsibility for the seepage field and appurtenances except that the City shall be responsible for damage to the said seepage field caused by City's intentional or negligent acts.

5. The Lessee of Lot 10 agrees to repair or pay the City for any damage to Lot 9 resulting from the exercise of the rights granted hereunder, including without limitation any environmental damage related to the seepage field and appurtenances thereto. The Lessee of Lot 10 further agrees that anytime he or she digs into excavates, or otherwise disturbs the surface area of the easement, he/she will restore any such surface area to its pre-existing condition; provided however that the Lessee of Lot 10 shall have no responsibility for landscape materials planted within the easement area or driveways or other structures located within the easement area after the execution of this Grant of Easement.

6. The Lessee of Lot 10 shall indemnify and hold City harmless from any and all liability, damage, expense, cause of action, suits or claims of judgment arising from injury to persons and/or property which arise out of the act, or failure to act, or negligence of Lessee of Lot 10, its agents, employees or assigns in the exercise of the rights under this easement.

7. The City may not place, build, construct or erect any part of a dwelling or other permanent structure or otherwise or otherwise permit the interference with the use of the area burdened by this easement by the Lessee of Lot 10.

8. The City shall have the right to relocate the seepage field and appurtenances thereto on Lot 9 as long as the field continues to function as required by any applicable federal, state, county or municipal statute, law, regulation or ordinance and the relocation does not cause a disruption in service of the septic system located on Lot 10. The City shall advise the Lessee of Lot 9 of any proposed relocation and give the Lessee of Lot 9 advance notice of the schedule for performing the work. The Lessee of Lot 9 shall have the right to inspect work in progress. The

City shall bear the full cost of any such relocation and shall be solely responsible for the restoration of the surface area to its pre-existing condition. A drawing showing the new location of the seepage field shall be provided to the Lessees of Lots 9 and 10. Upon presentation of such drawing, the easement in the area depicted on the drawing showing the previous location of the seepage field shall be vacated and the area shown on the new drawing shall become burdened by the easement.

9. This easement shall supersede paragraph\_\_\_\_in the lease for Lot 9 in Block 4 Camp Kickapoo dated \_\_\_\_\_to the extent that paragraph prohibits the installation of a seepage field and appurtenances on Lot 9.

10. This grant of easement shall be a covenant running with the land and shall be binding upon and inure to the benefit of the respective heirs, successors and assigns of Lot 9 and Lot 10 in Block 4 of Camp Kickapoo.

11. This easement shall terminate 180 days from the date public sewer connections are made available to Lot 10 in Block 4 of Camp Kickapoo.

Lessor – Lot 9

Lessees - Lot 9

CITY OF BLOOMINGTON

Stephen F. Stockton  
Mayor

Jeff Gilmore

ATTEST:

Tracey Covert, City Clerk  
By: Julie Phillips, Deputy City Clerk

Steve Barger

**Addendum to Lake Bloomington Ground Lease**

WHEREAS, the undersigned, Jeff Gilmore and Steve Barger, have previously purchased the property located at:

**Lot 9 in Block 4 in Camp Kickapoo according to a private unrecorded Plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships, in McLean County, Illinois,**

with a common address of: 24400 Ron Smith Memorial Highway; Hudson, IL 61748; and

WHEREAS said purchase involved the undersigned leasing from the City of Bloomington the underlying land; and

WHEREAS, the septic seepage field for Lot 10 extends onto the adjacent Lot 9, which is owned by the City of Bloomington and rented to the present tenants, namely, Patrick Yerkes and Jacqueline A. Yerkes, and Jeff Gilmore and Steve Barger are entering into an agreement with the City of Bloomington that effects the grant of an easement concerning said seepage field across Lot 9.

NOW THEREFORE, this 10<sup>th</sup> day of October, 2006, the undersigned and the City of Bloomington agree to amend the earlier described Ground Lease, allowing the tenants of Lot 10 to have easement rights over Lot 9 related to the septic system seepage field upon the terms of the Easement.

Lessor — Lot 9

Tenants — Lot 9

CITY OF BLOOMINGTON

Stephen F. Stockton  
Mayor

Jeff Gilmore

ATTEST:

Tracey Covert, City Clerk  
By: Julie Phillips, Deputy City Clerk

Steve Barger

**Addendum to Lake Bloomington Ground Lease  
Dated August 23, 2006**

WHEREAS, the undersigned, Patrick Yerkes and Jacqueline A. Yerkes, have agreed to purchase all property interests including improvements "AS IS" at:

**Lot 10 in Block 4 in Camp Kickapoo according to a private unrecorded Plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships, in McLean County, Illinois,**

with a common address of: 24398 Ron Smith Memorial Highway; Hudson, IL 61748; and

WHEREAS said purchase involves the undersigned leasing from the City of Bloomington the underlying land, said Lease having been entered into on August 23, 2006; and

WHEREAS, said Lot's septic seepage field extends onto the adjacent lot (Lot 9), which is owned by the City of Bloomington and rented to the present tenants, namely: Jeff Gilmore and Steve Barger, and same are entering into an agreement with the City of Bloomington that effects the grant of an easement concerning said seepage field.

NOW THEREFORE, this 10<sup>th</sup> day of October, 2006, the undersigned and the City of Bloomington agree to amend the earlier described Ground Lease, allowing the tenants thereto to have easement rights over Lot 9 that run with the land (subject to the terms indicated therein) related to the septic system seepage field.

-Lessor-

-Tenants — Lot 10-

CITY OF BLOOMINGTON

By: Stephen F. Stockton  
Mayor

Patrick Yerkes

ATTEST:

Tracey Covert, City Clerk  
By: Julie Phillips, Deputy City Clerk

Jacqueline A. Yerkes

**Motion by Alderman Huette, seconded by Alderman Schmidt that the Easement and the amendment to the leases be approved.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Petition from Debra Nord Requesting Approval of a Final Plat for Nord Subdivision

We have received a petition from Debra Nord requesting Council approval of a Final Plat for Nord Subdivision. This subdivision is located along Emerson Street north of Somerset Point Subdivision, and east of Bloomington Congregation of Jehovah's Witness Subdivision.

Plans have been delivered to the City, showing the necessary improvements, but have not been approved at this time. Therefore, this plat shall not be recorded until approved construction plans are received. Additionally, there are various fees due for this subdivision.

Therefore, staff recommends that Council approve the Petition and pass an ordinance approving the Final Plat for the Nord Subdivision, subject to the Petitioner having the construction plans approved, posting the necessary performance bond, and paying the necessary fees before recording the plat.

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**PETITION FOR APPROVAL OF FINAL PLAT**

State of Illinois )  
 ) ss.  
County of McLean )

TO:THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

Now comes Debra Nord hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner of the freehold or lesser estate thereinof the premises hereinafter legally described in Exhibit A which is attached hereto and made a part hereof by this reference, of is a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Nord Subdivision.
3. That your petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: waiver of the Preliminary Plan.

WHEREFORE, your petitioner respectfully prays that said Final Plat for the Nord Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

Debra Nord, Owner

**ORDINANCE NO. 2006-111**

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE  
NORD SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of the Nord Subdivision, legally described in Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: Waiver of the Preliminary Plan; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code-1960, as amended.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS:

1. That the Final Plat of the Nord Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage this 9th day of October, 2006.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert, City Clerk  
By: Julie Phillips, Deputy City Clerk

**EXHIBIT A**

The North 238.03 feet of the West 183 feet of the East 366 feet of Lot 30 in Tuttle and Watson's Subdivision in the Southwest Quarter of Section 34, Township 24 North, Range 2 East of the Third Principal Meridian, in McLean County, Illinois.

**Motion by Alderman Huette, seconded by Alderman Schmidt that the Final Plat be approved and the Ordinance passed.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Proposed 2006 Tax Levy and Process

In order to adopt a levy, we first have to formally set an estimate. The Truth in Taxation Law (35 ILCS 200/18-85) has two (2) requirements to meet in the process of adopting a levy. They are as follows:

1. "Not less than 20 days prior to the adoption of its aggregate levy.....the corporate authority of each taxing district shall determine the amounts of money....estimated to be necessary to be raised by taxation for that year upon the taxable property in its district."
2. "If the estimate of the corporate authority made....is more than 105% of the amount extended or estimated to be extended....the corporate authority shall give public notice of and hold a public hearing on its intent to adopt an aggregate levy in an amount which is more than 105% of the amount extended or estimated to be extended....The notice shall appear not more than 14 days nor less than 7 days prior to the date of the public hearing."

In addition the Tax Levy Ordinance must be passed and a certified copy thereof filed with the County Clerk on or before the last Tuesday in December, which this year is December 26th. This means that in order to meet the various timing requirements to legally adopt a levy in December, we need to set an "estimated" levy in October or early November. The levy adopted is supposed to be supported by the budget adopted the previous spring. In order to allow for plenty of time, the process should begin now.

The 2006 total recommended property tax levy is \$19,778,277 which is a 4.41% increase over the 2005 levy extension of \$18,941,916. The primary reason for the increase is an extra \$359,725 for IMRF and an additional \$139,435 for Social Security to pay for growing costs in those areas. The proposed levy is based on a projected Equalized Assessed Valuation of \$1,541,447,858 which is 3.50% above the 2005 EAV of \$1,489,321,602.

Staff received the estimate of about 3.50% growth in EAV from discussions with the Township Assessor, Mike Ireland.

The current tax rate is \$1.270185 per \$100 of EAV for the 2005 levy (\$0.99901 for the City and \$0.27284 for the Library). The projections for the 2006 levy generates an estimated tax rate of \$1.28310 per \$100 of EAV (\$1.00894 for the City and \$0.27416 for the Library). The increase in the levy amount subject to Truth In Taxation is 4.99%, which is below the 5% threshold that requires a newspaper publication and a public hearing before adopting the final levy. Therefore, the proposed levy below will **not** require that the City have newspaper publication and a public hearing before adopting the final levy.

The following is a comparison of last year's levy as extended by the County Clerk to this year's estimated levy.

	Extension 2005	Estimate 2006	%Increase
General Corporate	\$2,898,518	\$2,983,158	2.92
Police Protection	1,216,925	1,277,809	5.00
Fire Protection	1,216,756	1,277,652	5.00
Public Parks	912,209	957,849	5.00
IMRF Fund	1,237,626	1,597,351	29.07
Social Security Fund	1,221,988	1,361,423	11.41
Fire Pension Fund	1,726,124	1,722,416	2.68
Police Pension Fund	1,826,802	1,889,809	3.45
Judgment Fund	333,757	150,000	-55.06
Public Library Fund	4,063,465	4,225,979	4.00
Public Benefit Fund	155,038	155,000	0.00
Audit Fund	75,955	79,756	5.00
<b>Truth in Taxation Subtotal</b>	<b>16,885,163</b>	<b>17,728,201</b>	<b>4.99</b>
1991 S.E. Improvement Bonds	695,000	695,000	0.00
1993 Improvement Bonds	393,663	0	-100.00
1996 Police Facility Bonds	517,220	905,965	75.16
2001 Refinancing Issue	84,682	82,923	- 2.08
2003 Capital Impv. Issue	366,188	366,188	0.00
<b>Debt Service Subtotal</b>	<b>2,056,753</b>	<b>2,050,076</b>	<b>-0.32</b>
<b>Total Tax Levy</b>	<b>18,941,916</b>	<b>19,778,277</b>	<b>4.41</b>

Council should note that the largest increases on a percentage basis are for the required IMRF and Social Security expenses for the expanding employee base.



All other increases recommended are those considered routine to keep a balanced budget in pace with the growth of the City. Staff respectfully requests that Council approve the time line to finalize this levy as follows:

1. Set the estimated levy at the October 9, 2006 meeting to begin the 20 day time clock running.
2. Formally adopt the levy on the December 11, 2006 meeting.

Staff respectfully recommends that the Council authorize the preparation of the necessary documents to proceed with this process.

Respectfully,

Brian J. Barnes  
Director of Finance

Tom Hamilton  
City Manager

**Motion by Alderman Huette, seconded by Alderman Schmidt that the proposed levy be adopted as the estimate of \$19,778,090 for the 2006 City levy.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Appeal of Zoning Board Action by Phil Boulds (Mugsy's Pub) 1303, 1305, and 1307 N. Main Street

On September 20, 2006, the Zoning Board of Appeals heard the variance request of Phil Boulds (Mugsy's Pub), for 1303, 1305, and 1307 N. Main Street. The request was to reduce the required front yard landscape setback for a new parking lot from twelve (12) feet to three (3) feet along the Center Street frontage.

The Zoning Board of Appeals found Mr. Bould's request did not meet the standards required to grant a variance and rejected his variance request by a vote of 4 - 2 (unofficial minutes attached). The Board based their findings on the following:

- The petitioner was maximizing his parking on the site at the expense of the landscaping requirement.
- The parking could be provided in excess of the required number of spaces and still meet the landscape requirements of the code.
- In light of the study being conducted to address the visual impact of the Main/Center Street corridor through the cities, now was not the time to reduce the amount of landscaping along Center Street.
- The increased landscaped area will reduce the amount of impervious surface, causing less storm water run-off.
- The proposed width of three (3) feet is too small to adequately support the growth of the required landscaping.

Staff concurs with the findings of the Zoning Board of Appeals and respectfully requests that Council uphold the Zoning Board of Appeal's findings, and deny the variance request for reduced landscaping at 1303, 1305, and 1307 N. Main Street.

Respectfully,

Mark R. Huber  
Director, Planning and Code Enforcement

Tom Hamilton  
City Manager

**Motion by Alderman Huette, seconded by Alderman Schmidt that at the Petitioner's request, this item be laid over until the October 23, 2006 Council meeting.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Doug Grovesteen, Directory of Engineering addressed the Council. Staff reviewed the one (1) bid received for the Sewer Ejection at 334 ½ Barker Street. Staff recommended that the bid be awarded to Mayol Plumbing in the amount of \$2,890.**

**Motion by Alderman Matejka, seconded by Alderman Crawford that the bid be awarded to Mayol Plumbing in the amount of \$2,890 and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Mr. Grovesteen presented the analysis of the one (1) bid received for the Stair Replacement/Lake Bloomington Old Process Building. Mr. Grovesteen noted that Craig Cummings, Director of Water was unable to attend this meeting. He was unfamiliar with the project and was not comfortable making a recommendation. Mr. Hamilton stated that it would be best to lay the item over until the October 23, 2006 Council meeting. Mr. Grovesteen added that the bid was submitted by Flemley Dickerson and the base bid to replace the southeast stairway was \$184,200. An additive alternate for replacement of the main stairway was \$114,800.**

**Motion by Alderman Crawford, seconded by Alderman Finnegan that the item be laid over until the October 23, 2006 Council meeting.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Crawford, Huette, Schmidt, Finnegan, Gibson, Hanson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**MAYOR'S DISCUSSION – None.**

**CITY MANAGER'S DISCUSSION – None.**

**ALDERMEN'S DISCUSSION – Alderman Finnegan questioned if language for the Smoking Ban Ordinance would be forthcoming. Todd Greenburg, Corporation Counsel, responded that language on the private club issue would be presented. Mr. Hamilton added that a written interpretation regarding enclosed and non-enclosed areas would also be provided. Mayor Stockton stated that everything would be provided to the Council in writing.**

**Alderman Matejka presented the City with a plaque “Honoring the Host City of Bloomington for the National Not in Our Town Conference.” The first national gathering for “Not in Our Town” was held the previous weekend.**

**“Not in Our Town” is an anti-discrimination movement that began in Billings, Montana in 1993. The City incorporated “Not in our Town” as a part of its culture in 1995. He commended Barb Adkins, Deputy City Manager for her role in organizing the conference. He shared some positive comments regarding the participation of many departments at the Conference. He had received many positive comments regarding the cleanliness of the City. Mayor Stockton stated that the City was honored to be the first host and would welcome the “National Not in our Town Conference” again. Ms. Adkins received the plaque on behalf of the City.**

**Alderman Schmidt noted that there would not be a Work Session regarding the rental housing program. She complimented Mark Huber, Director of PACE, for the report that he had provided for the public input session. She provided the report to some of the landlords who were interested in reviewing it prior to the next Council discussion on this issue.**

**In regard to work sessions, she believed that she did not have a good understanding of the upcoming schedule or topics. She requested that the Council be provided with a schedule and the topics to be discussed. Mr. Hamilton stated that he would provide a list to the Council. Alderman Schmidt requested that the list be published. She suggested that the some time be allowed during the Work Sessions for the public to speak. Alderman Crawford agreed. Alderman Purcell stated that an hour would not allow enough time to include public discussion. More than hour would need to be scheduled. Alderman Schmidt noted that if the topic, agenda, and documentation were provided prior to the meeting it would be possible to set a limit of one hour. Mayor Stockton stated that it would be important to control the length of comments.**

**Alderman Schmidt questioned the proposed past offender ordinance. Mr. Hamilton responded that he had discussed the item with Todd Greenburg, Corporation Counsel. Staff was prepared to begin conducting public hearings on the issue. He expected that the item would be discussed at the Planning Commission’s first meeting in November.**

**Alderman Purcell reminded those present that the hockey season was about to begin.**

**Motion by Alderman Finnegan, seconded by Alderman Huette, that the meeting be adjourned. Time: 8:05 p.m.**

**Motion carried.**

**Respectfully,**

**Julie Phillips  
Deputy City Clerk**